

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHAMONE BROWN,

Plaintiff,

-against-

WARDEN NYCDOC MDC;  
CORRECTIONAL OFFICER JOHN DOE 1 &  
2; CITY OF NEW YORK,

Defendants.

20-CV-2144 (CM)

ORDER DIRECTING ORIGINAL  
SIGNATURE

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, currently incarcerated in Downstate Correctional Facility, brings this action *pro se*. Plaintiff submitted both the application to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, and the prisoner authorization without signatures. Rule 11(a) of the Federal Rules of Civil Procedure provides that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney’s name – or by a party personally if the party is unrepresented.” *See also* Local Civil Rule 11.1(a). The Supreme Court has interpreted Rule 11(a) to require “as it did in John Hancock’s day, a name handwritten (or a mark handplaced).” *Becker v. Montgomery*, 532 U.S. 757, 764 (2001).

Plaintiff is directed to resubmit the signature pages of the IFP application and the prisoner authorization with original signatures to the Court within thirty days of the date of this order. A copy of each signature page is attached to this order.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff complies with this order, the Court will process the case in accordance with the procedures of the Clerk’s Office. If Plaintiff fails to comply with this order within the time allowed, the Court will dismiss the action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: March 16, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge

- |   |                              |  |
|---|------------------------------|--|
| (c) Pension, annuity, or life insurance payments  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability or worker's compensation payments  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts or inheritances   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (f) Any other public benefits (unemployment, social security, food stamps, veteran's, etc.) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (g) Any other sources   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

If you answered "No" to all of the questions above, explain how you are paying your expenses:

4. How much money do you have in cash or in a checking, savings, or inmate account? ☐
  
5. Do you own any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value, including any item of value held in someone else's name? If so, describe the property and its approximate value:  
NO
  
6. Do you have any housing, transportation, utilities, or loan payments, or other regular monthly expenses? If so, describe and provide the amount of the monthly expense:  
NO
  
7. List all people who are dependent on you for support, your relationship with each person, and how much you contribute to their support (only provide initials for minors under 18): ☐
  
8. Do you have any debts or financial obligations not described above? If so, describe the amounts owed and to whom they are payable:  
NO

**Declaration:** I declare under penalty of perjury that the above information is true. I understand that a false statement may result in a dismissal of my claims.

<u>21-25112020</u>		<u>X</u>	
Dated		Signature	
<u>SHAMONE BROWN</u>			
Name (Last, First, MI)		Prison Identification # (if incarcerated)	
<u>OBCC 1600 HAZEN STREET EAST ELMHURST, NY 11370</u>			
Address	City	State	Zip Code
<u></u>	<u></u>	<u></u>	<u></u>
Telephone Number		E-mail Address (if available)	
<u></u>		<u></u>	

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHAMONE BROWN

(full name of the plaintiff/petitioner)

-against-

NYCDOC MDC ; ET AL

(full name(s) of the defendant(s)/respondent(s))

20 CV 2144

CV

( - ) ( \* )

(Provide docket number, if available; if filing this with your complaint, you will not yet have a docket number.)

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PRISONER AUTHORIZATION

By signing below, I acknowledge that:

- (1) because I filed this action as a prisoner,<sup>1</sup> I am required by statute (28 U.S.C. § 1915) to pay the full filing fees for this case, even if I am granted the right to proceed *in forma pauperis* (IFP), that is, without prepayment of fees;
- (2) the full \$350 filing fee will be deducted in installments from my prison account, even if my case is dismissed or I voluntarily withdraw it.

I authorize the agency holding me in custody to:

- (1) send a certified copy of my prison trust fund account statement for the past six months (from my current institution or any institution in which I was incarcerated during the past six months);
- (2) calculate the amounts specified by 28 U.S.C. § 1915(b), deduct those amounts from my prison trust fund, and disburse those amounts to the Court.

This authorization applies to any agency into whose custody I may be transferred and to any other district court to which my case may be transferred.

21-25-2020	X
Date	Signature
BROWN, SHAMONE	3491902501
Name (Last, First, MI)	Prison Identification #
DBCC 1600 HAZEN STREET EAST ELMHURST, NY 11370	
Address	City State Zip Code
X	

<sup>1</sup> A "prisoner" is "any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms or conditions of parole, probation, pretrial release, or diversionary program." 28 U.S.C. § 1915(h).